

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

SIGMA-TAU PHARMACEUTICALS,  
INC.

v.

BERNARD A. SCHWETZ, D.V.M., Ph.D.,  
Acting Principal Deputy Commissioner of  
Food and Drugs, et al.

CIVIL NO. CCB-01-1377

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**ORDER**

Considering the Stipulation and Order filed August 3, 2001 Regarding Treatment of

Previously Filed Motions, and for substantially the reasons stated on the record July 13, 2001 in denying the plaintiff's motion for preliminary injunction, it is hereby **ORDERED** that:

1. the motion of plaintiff Sigma-Tau Pharmaceuticals, Inc. for preliminary injunction, treated as a motion for summary judgment, is **Denied**;
2. the motion of defendant Gensia Sicor ("GS") to dismiss, treated as a cross-motion for summary judgment and joined by the federal defendants Bernard A. Schwetz, D.V.M., Ph.D. and Tommy G. Thompson is **Granted**;
3. the court finds that the approvals of the GS and Bedford ANDAs on or about March 29, 2001 were not arbitrary or capricious, an abuse of discretion, or otherwise a violation of law; nor were they invalid for any reason presented to the court;
4. judgment is entered in favor of the defendants and against the plaintiff; and
5. the Clerk shall **CLOSE** this case.

8/03/01  
Date

Catherine C. Blake  
United States District Judge

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
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